



022704
02570 U.S. PTO

22581 U.S. PTO
10/789618

022704

PATENT

Docket No. 5000-5148

Customer Number 27123

Express Mail Label No. EV356648559US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))

Applicant(s) : Tomoji TARUTANI; Masaki OTA; Hisato KAWAMURA; Yoshinori INOUE; and
Masahiro KAWAGUCHI

Serial No : To Be Assigned

Filed : Concurrently herewith

For : VARIABLE DISPLACEMENT COMPRESSOR

Customer No. : 27123

Mail Stop Patent Application
COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Named Inventor(s) and
Address(es): Tomoji TARUTANI; Masaki OTA; Hisato KAWAMURA; Yoshinori INOUE;
and Masahiro KAWAGUCHI
c/o: KABUSHIKI KAISHA TOYOTA JIDOSHOKKI
2-1, Toyoda-cho, Kariya-shi, Aichi-ken, Japan

For: VARIABLE DISPLACEMENT COMPRESSOR

Enclosed are:

20 page(s) of specification, 4 page(s) of claims, 1 page(s) of abstract.

2 sheets of drawing formal (Figs. 1- 4) informal

5 page(s) of Declaration and Power of Attorney

Unsigned
 Newly Executed
 Copy from prior application

Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

[] Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

[] Microfiche Computer Program (Appendix)

[] _____ page(s) of Sequence Listing

[] computer readable disk containing Sequence Listing

[] Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same

[X] Claim for Priority (Claim to Convention Priority) is made to Japanese Application No. 2003-056112 filed March 3, 2003.

[X] A certified copy of the Japanese Priority Document is enclosed.

[] English translation documents

[X] Information Disclosure Statement

[X] Copy of the cited references, including Form PTO-1449

[] Copy of PTO-1449 filed in parent application serial No. _____.

[] Preliminary Amendment

[X] Return receipt postcard (MPEP 503)

[X] Assignment Papers (assignment cover sheet and assignment documents)

[X] The amount of \$ 40.00 for recording the Assignment included in the check for the filing fee.

[] Assignment papers filed in parent application Serial No. _____.

[] Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).

[] This is a [] continuation [] divisional [] continuation-in-part (C-I-P) of prior application serial no. _____.

[] Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

[] A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.)

[] The status of the parent application is as follows:

[] A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.

[] A copy of the Petition for Extension of Time in the co-pending parent application is attached.

[] No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.

[] Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

[] Amend the specification by inserting before the first line the sentence:
This is a [] continuation [] divisional [] continuation-in-part of co-pending application Serial No. _____ filed _____.

I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

	Number Filed	Number Extra	Rate	Basic Fee
Total Claims	15	-20 =	0	x \$ 18.00 \$0.00
Independent Claims	2	- 3 =	0	x \$ 86.00 \$0.00
Multiple Dependent Claims			Additional Fee = Add'l Fee =	\$ 290.00 \$0.00
	[] yes			
	[X] no			NONE

Total: \$770.00

A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ _____.

A check in the total amount of \$810.00 in payment of the application filing fee and assignment recordation is attached.

A check in the amount of \$_____ in payment of the assignment recording fee is attached.

Charge Fee(s) to Deposit Account No. 13-4500. Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5148 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Dated: February 27, 2004

Steven F. Meyer
Steven F. Meyer
Registration No. 35,613

CORRESPONDENCE ADDRESS:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tomoji TARUTANI; Masaki OTA; Hisato KAWAMURA; Yoshinori INOUE; and Masahiro KAWAGUCHI

Serial No.: TBA Group Art Unit: TBA

Filed: Herewith Examiner: TBA

For: VARIABLE DISPLACEMENT COMPRESSOR

Customer No.: 27123

EXPRESS MAIL CERTIFICATE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

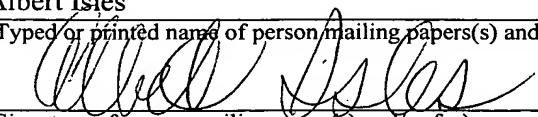
Express Mail Label No.: EV 356648559 US

Date of Deposit: February 27, 2004

I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Application Fee Transmittal;
2. Claim to Convention Priority;
3. Certified Copy of Priority Document;
4. Specification: 20 pp., Claims: 4 pp., and Abstract: 1 pp.;
5. Two (2) sheets of Formal Drawings-Figs. 1-4;
6. Information Disclosure Statement;
7. PTO-Form 1449 w/copies of all cited references;
8. Executed Declaration: (5 pp.);
9. Assignment Recordation;
10. Assignment (1pg.);
11. A check in the amount of \$810.00; and
12. A return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Albert Isles
 (Typed or printed name of person mailing paper(s) and/or fee)

 (Signature of person mailing paper(s) and/or fee)

Correspondence Address:
 MORGAN & FINNEGAN, L.L.P.
 345 Park Avenue
 New York, NY 10154-0053
 (212) 758-4800 Telephone
 (212) 751-6849 Facsimile